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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,715	07/09/2003	Georg Gortler	P03,0245	9414

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EXAMINER	
SCHAFFER, JONATHAN C	
ART UNIT	**PAPER NUMBER**
2624	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/615,715	GORTLER ET AL.	
	Examiner	Art Unit	
	Jonathan C. Schaffer	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 6-19* is/are rejected.

7)☒ Claim(s) *5* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *06/08/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 & 6-19 rejected under 35 U.S.C. 102(e) as being anticipated by Gendron et al. (U.S. Patent Publication 2002/0028007).

1. A method for automatically processing studi s acquired by an imaging examination system having a first computer connected via a network to a plurality of further computers, said method comprising the steps of:

for each study in a plurality of studies acquired by said imaging examination system, assigning a priority code indicating a relative priority for processing that study;

(Fig. 1-6 and supporting disclosure & ¶ 27, 30, 32, 63, 72-75)

dependent on said priority code, either immediately processing said study on said first computer, or intermediately storing said study in a memory device for later processing and allocating respective identifiers, in a processing job list, to all studies stored in said memory and, at respective later points in time, processing the studies stored in the memory in said processing job list according to a predetermined sequence; and

(Fig. 1-6 and supporting disclosure & ¶ 27, 30, 32, 63, 72-75)

for processing said studies stored in said memory at said respective later points in time, checking respective availabilities of said further computers for processing one of said studies according to said processing job list, and communicating one of said studies according to said processing job list to one of said further computers having availability and automatically processing the study in said one of said other computers having availability.

(Fig. 1-6 and supporting disclosure & ¶ 27, 30, 32, 63, 67-75)

2. A method as claimed in claim 1 wherein the step of checking availability of said other computers comprises checking a workload of the respective other computers.

(¶ 71)

3. A method as claimed in claim 1 wherein each study has a study type associated therewith, and comprising allocating said priority code to the respective study dependent on the study type.

(¶ 22, 27, 30, 32)

4. A method as claimed in claim 1 comprising, before assigning said priority code to a study, automatically pre-evaluating at least a portion of that study and assigning said priority code dependent on said pre-evaluation.

(Fig. 1-6 and supporting disclosure & ¶ 55, 63, 67-75)

6. A method as claimed in claim 1 comprising the additional steps of monitoring an occupancy of said network and transmitting a study from said memory to said one of said other computers only if the occupancy of said network does not exceed a predetermined threshold.

(¶ 67-75)

7. A method as claimed in claim 1 comprising ordering said studies in said predefined sequence according to said priority codes.

(¶ 67-75)

8. A method as claimed in claim 1 wherein said network has a central computer connected thereto, and comprising the steps of administering said processing job list in said central computer by, in said central computer, checking the respective availabilities of said other computers and initiating transmission of said one of said studies from said memory to said one of said other computers having availability for processing the study.

(Fig. 1-6 and supporting disclosure & ¶ 67-75)

9. A method as claimed in claim 8 comprising the additional step of, in said central computer, monitoring an occupancy of said network and transmitting said one of said studies from said memory to said one of said other computers only if said occupancy of the network does not exceed a predetermined threshold.

(Fig. 1-6 and supporting disclosure & ¶ 67-75)

10. A method as claimed in claim 1 wherein said plurality of studies include interrelated studies, and comprising processing said interrelated studies in common either in said first computer or said one of said other computers dependent on the priority code of at least one said interrelated studies.

(Fig. 1-6 and supporting disclosure & ¶ 67-75)

11. A computerized system for automatically processing studies acquired by an imaging examination system, said computerized system comprising: a first computer connected to an imaging examination system that acquires a plurality of studies; a priority allocation module that allocates respective priority codes to said studies according to a relative processing priority; a plurality of other computers in communication with said first computer, each of said first computer and said plurality of other computers comprising a processor for automatically processing said studies; a memory accessible by said first computer and said other computers; and dependent on the priority code allocated to a study, either said first computer automatically processing that study or that study being intermediately stored in said memory and being allocated an identifier in a processing job list for all studies stored in said memory; and a module for checking respective availabilities of said other computers and transmitting one of said studies from said memory according to said processing job list to one of said other computers dependent on the availability of said one of said other computers.

See the rejection of Claim 1.

12. A computerized system as claimed in claim 11 wherein said module checks the respective availabilities of the other computers by checking the respective workloads of the other computers.

See the rejection of Claim 2.

13. A computerized system as claimed in claim 11 wherein said priority allocation module comprises a user interface allowing manual entry of respective priority codes for said plurality of studies.

(¶ 65)

14. A computerized system as claimed in claim 11 wherein said priority allocation module comprises a priority allocation memory containing a list of study types, and wherein said priority allocation module allocates said priority codes dependent on a study type of each study in said plurality of studies.

See the rejection of Claim 3.

15. A computerized system as claimed in claim 11 wherein said first computer includes a pre-evaluation module which, before allocation of said priority code by said priority allocation module, automatically implements a pre-evaluation of at least a part of a study, thereby obtaining pre-evaluation data, and communicates said pre-evaluation data to said priority allocation module, and wherein said priority allocation module allocates a priority code to that study dependent on the pre-evaluation data for that study.

See the rejection of Claims 4 & 5.

16. A computerized system as claimed in claim 15 wherein said pre-evaluation module comprises an image processing unit, for analyzing features of an image associated with the study.

See the rejection of Claim 5.

17. A computerized system as claimed in claim 11 wherein said first computer and said other computers are in communication via a network, and wherein said module for transmitting said one of said studies from said memory to said one of said other computers monitors an occupancy of said network and transmits said one of said studies to said one of said other computers only if the occupancy of said network does not exceed a predetermined threshold.

See the rejection of Claim 6.

18. A computerized system as claimed in claim 11 further comprising a central computer containing said module, said central computer administering said processing job list using said module.

See the rejection of Claim 8.

19. A computerized system as claimed in claim 18 wherein said first computer and said other computers are in communication with each other via a network, and wherein said central computer monitors an occupancy of said network and initiates transmission of said one of said studies to said one of said other computers only if the occupancy of the network does not exceed a predetermined threshold.

See the rejection of Claim 9.

Allowable Subject Matter

3. Claim 5 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan C. Schaffer whose telephone number is (571)272-0603. The examiner can normally be reached on 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571)272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JS

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